

1. FLAG SALUTE & CERTIFICATION OF COMPLIANCE

Chairman Neiman called the meeting to order at 6:00 p.m. with the Pledge of Allegiance and read the Certification of Compliance with the NJ Open Public Meetings Act:

“The time, date and location of this meeting was published in the *Asbury Park Press* and *The Star Ledger* and posted on the bulletin board in the office of the Township of Lakewood at least 48 hours in advance. The public has the right to attend this meeting, and reasonable, comprehensive minutes of this meeting will be available for public inspection. This meeting meets the criteria of the Open Public Meetings Act.”

2. ROLL CALL & SWEARING IN OF PROFESSIONALS

Roll call

Present: Mr. Meyer, Mr. B Stern, Mr. Neiman, Mr. Helmreich, Mr. Y Stern

Mr. Terence Vogt, P.E., P.P., C.M.E. was sworn.

3. RESOLUTIONS

- 1. SD 2510 Besadar Holdings LLC**
1452 & 1456 14th Street Block 24, Lots 23, 24.01, & 34
Denial of a Preliminary and Final Major Subdivision to create nine lots

A motion was made and seconded to approve the resolution. All were in favor.

- 2. SP 2467 Congregation Tiferes Ish**
324 East 7th Street Block 224, Lot 22
Preliminary and Final Major Site Plan for a synagogue with rabbi's residence

A motion was made and seconded to approve the resolution. All were in favor.

3. **SD 2532 Regal Court, LLC**
Regal Court Block 536, Lot 1.13
Minor Subdivision to create two lots

A motion was made and seconded to approve the resolution. All were in favor.

4. **SD 2533 Nachum Rokeach**
44 Lisa Court & 1492 Pine Park Ave Block 26, Lots 23 & 24.01
Minor Subdivision to adjust lot lines

A motion was made and seconded to approve the resolution. All were in favor.

5. **SD 2525 Shlomo Bamberger**
16 James Street Block 416, Lots 1 & 3
Minor Subdivision to adjust lot lines

A motion was made and seconded to approve the resolution. All were in favor.

- 6. SP 2122 Bnos Esther Malka, Inc.**
488 Whitesville Road Block 251, Lots 1.03 & 21
Add Lot 1.03 to Site Plan approval for additional parking and allow rentals

A motion was made and seconded to approve the resolution. All were in favor.

- 7. SP 2458 Yeshiva Gedolah of South Jersey**
105 Newport Avenue Block 499, Lot 7
Preliminary and Final Major Site Plan for a campus

A motion was made and seconded to approve the resolution. All were in favor.

- 8. SP 2393 David Sebbag**
406 & 444 Hope Chapel Road Block 2, Lots 15 & 109
Preliminary and Final Major Site Plan for an addition

A motion was made and seconded to approve the resolution. All were in favor.

- 9. SP 2466 HMR 3 LLC**
Boulevard of Americas Block 961.01, Lot 3
Preliminary and Final Major Site Plan for an office building

A motion was made and seconded to approve the resolution. All were in favor.

- 10. SD 2527 Oak Sheraton LLC**
220 Ridge St & Negba Street Block 237, Lots 14 & 15
Minor Subdivision to create three lots

A motion was made and seconded to approve the resolution. All were in favor.

4. PUBLIC HEARING

- 5. SD 2511 Yeshiva Chemdas Hatorah**
835 Cross St, 625, 639, 647, James St Block 251.03, Lots 20, 20.01-20.03, & 31
Preliminary and Final Major Subdivision to create 130 lots

An announcement was made to carry this application to the September 6, 2022, public hearing.

- 2. SD 2534 DRT Investments LLC**
68 Arosa Hill Block 174.01, Lot 13.35
Minor Subdivision to create two lots

Mr. Adam Pfeffer, Esquire, appeared on behalf of the applicant and summarized the application.

Mr. Brian Flannery, professional engineer and professional planner, appeared and was affirmed. He introduced exhibits, read through the RV report, and referenced the Master Plan and Municipal Land Use Law to support the relief required. The design waiver for street trees is no longer required. The new house will front on Twin Oaks, and the one on Arosa Hill is not being changed.

Mr. Helmreich said he has a problem if the new house has a basement.

Mr. Neiman said they'd have to go to the building department to make it rentable.

Mr. Helmreich talked about avoiding stacked parking in most cases, but in a single house it's different.

Mr. Neiman opened to the public.

Mr. David Miller appeared and was affirmed. His house abuts the vacant lot. He spoke about the developer jamming in as many houses as they can, and about privacy concerns and lack of on street parking in the area. He'd like to see consideration for the concerns of the existing residents in the area who already have to deal with a cell phone tower nearby. He said he's heard the intent is to eventually put a cul-de-sac there.

Mr. Flannery said we would build a minimum of 4 parking spaces for the 1 new house. On a 60,000 sf lot there is plenty of room.

Mr. B Stern asked if there is a mansion planned, or why is it only one house.

Mr. Flannery said there is only road frontage for one.

Mr. B Stern asked if they could put a cul-de-sac and 5 houses.

Mr. Flannery said we'd have to come to the Board.

Mr. Pfeffer said we aren't asking for any variances.

Mr. Helmreich said can you leave some trees in the back left corner for this neighbor?

Mr. Neiman referenced a Google Maps view of the property, to be used as an exhibit.

All parties reviewed the image and privacy concerns.

Mr. Neiman said we can ask for trees to be kept there.

Mr. Miller said and along my neighbors house as well if possible.

Mr. Pfeffer said we agree to comply with the Ordinance with regards to buffering.

Mr. Neiman said there is no buffer requirement for residential to residential.

Mr. Flannery said we will have a landscape architect look at it and determine if additional trees are required.

Mr. Vogt said typically that's done at plot plan, but the resolution should be clear about that requirement.

Mr. Miller said it's a forest right now. So keep what you can.

Mr. Neiman said during resolution compliance and during plot plan, if you can save a row of trees or the existing trees next to his house...

Mr. Pfeffer said the existing trees might be enough buffering but we will check.

Mr. Helmreich made a motion to approve with the condition as discussed, with trees to be retained along Lots 45.22 and 45.21 or supplemented as needed.

Mr. Y Stern seconded.

Affirmative: Mr. Meyer, Mr. B Stern, Mr. Neiman, Mr. Helmreich, Mr. Y Stern

Negative:

- 3. SD 2459A Hamilton Estates O&V LLC**
92 Oak Street Block 1014-1.01-1.06
Amended Preliminary and Final Major Subdivision to create six lots

Mr. Adam Pfeffer, Esquire, appeared on behalf of the applicant and summarized the application.

Mr. Brian Flannery, professional engineer and professional planner, appeared and was affirmed. He introduced exhibits, read through the RV report, and referenced the Master Plan and Municipal Land Use Law to support the relief required.

The Board discussed the spacing remaining between the units if the variances are granted.

Mr. Neiman opened to the public and no one came forward.

Mr. Meyer made a motion to approve with the conditions as discussed.

Mr. Y Stern seconded.

Affirmative: Mr. Meyer, Mr. B Stern, Mr. Neiman, Mr. Helmreich, Mr. Y Stern

Negative:

- 4. SD 2460A Hamilton Estates O&V LLC**
Hamilton Avenue Block 1012; 1013, Lots 5.01-5.03; 5.04-5.06
Amended Preliminary and Final Major Subdivision to create six lots

Mr. Adam Pfeffer, Esquire, appeared on behalf of the applicant and summarized the application.

Mr. Brian Flannery, professional engineer and professional planner, appeared and was affirmed. He said this is like a mirror image of the previous one, and we are asking for the same relief.

Mr. Neiman opened to the public and no one came forward.

Mr. Meyer made a motion to approve with the conditions as discussed.

Mr. Neiman seconded.

Affirmative: Mr. Meyer, Mr. B Stern, Mr. Neiman, Mr. Helmreich, Mr. Y Stern

Negative:

5. CORRESPONDENCE

- **SP 2473 Tower 5 Equity LLC, Block 961, Lots 2.05, 2.10, 2.11, & 2.13** – proposed minor changes for a reduction in impervious coverage per CAFRA requirements

Mr. Glenn Lines appeared and was affirmed. He said this is Towers 1, 2, 3, and 5, which CAFRA is looking at as one project. We had to remove 62 parking spaces over all to bring it under 80% impervious coverage. We've reduced the coverage to 78.82% and it was 82% total before. CAFRA limits impervious to 80% maximum with concerns regarding runoff. There are still no variances. We had some extra spaces to start and we were able to add some in other places.

Mr. B Stern asked if some trees could be kept instead of just grass in the pervious area.

Mr. Lines said I don't see why not, sure.

Mr. Neiman said you'll rope off those trees?

Mr. Schmuckler said yes, unless we need some additional space for grading.

Mr. made a motion to approve.

Mr. Neiman seconded.

All were in favor.

- **SP 2416 650 James Street, LLC, Block 385, Lot 6** – request to add a basement for storage to the approved office Site Plan

Mr. Adam Pfeffer, Esquire, appeared on behalf of the applicant. He stated that the basement is for storage. There were two bathrooms shown, which the owner indicated he wanted for personal use in case he wants to put a treadmill or a gym down there. But if the Board wants the bathrooms removed, he will do that, though he'd like to keep them. The basement is for storage.

Mr. Helmreich said that sounds like they want a gym, and that's why they need ADA bathrooms for men and women. I don't have a problem with that, but its disconcerting that it sounds like you're not being straightforward.

Mr. Neiman said I'd be ok with one bathroom, I don't know that we need ADA.

MR. Helmreich said we should say it can't be rented out for a gym.

Mr. Vogt said or for any office use either. It's for storage or private gym only.

Mr. Neiman said I love that.

Mr. Jackson said it's an accessory to the building.

Mr. Helmreich said one bathroom, non ADA.

Mr. Jackson said I don't know if it's legal to not be ADA. The idea is it has to be accessible to everybody. Everyone has to have equal opportunity.

Mr. made a motion to approve.

Mr. Neiman seconded.

All were in favor.

4. PUBLIC HEARING

- 1. SP 2476AA Chaim Grossman**
715 Park Avenue Block 231, Lot 1
Change of Use/Site Plan Exemption to convert a house to a synagogue

Mr. Brian Flannery, professional engineer and professional planner, appeared and was affirmed. He introduced exhibits, read through the RV report, and referenced the Master Plan and Municipal Land Use Law to support the relief required. We are providing 13 spaces for the 1298 sf sanctuary. They got a building permit for a house, started building a house, but now they have been using it as a shul for more than a year.

Mr. Neiman said why change it with us now?

Mr. Flannery said the inspectors asked that they get the change of use for the shul. The kiddush hall is not rented out and is Shabbos only, and we would accept a condition indicating the same.

Rabbi Chaim Grossman appeared and was affirmed. He said they do not have a parking issue now. It's a kollel and we normally have extra spots. A lot walk from the area, and a few park on the other side of the tracks. It works out.

Mr. Helmreich said so they applied to build it as a home, built a shul... Right now there is a kiddush hall-

Rabbi Grossman said it's not built yet, it's empty. The only thing not finished is the basement, and it will not be used during the week.

Mr. Helmreich said there's no buffers and it's been here for a year. Have any neighbors objected?

Rabbi Grossman said no, we've met with them and they are all happy with it.

Mr. Helmreich said sometimes the neighbors are afraid to object. They don't want to get you upset or be bad neighbors.

Rabbi Grossman said I was concerned with the same and have asked them, and they said even those who were concerned are happy with how it's been operating.

Mr. Neiman opened to the public and no one came forward.

Mr. Helmreich made a motion to approve, with the condition of no use of the simcha hall during the week at all (internal or rental).

Mr. seconded.

Affirmative: Mr. Meyer, Mr. Neiman, Mr. Helmreich, Mr. Y Stern
Negative:
Abstain: Mr. B Stern

6. APPROVAL OF MINUTES

- August 9, 2022 - approved

7. APPROVAL OF BILLS - Approved

8. ADJOURNMENT

Meeting was adjourned with all in favor.

Respectfully submitted
Ally Morris
Planning Board Recording Secretary